

LES HARDY - Originator
Newman White - Concurred
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August 10, 1960
Opinion No. 60-53

REQUESTED BY: Honorable Harry Ackerman
Pima County Attorney

OPINION BY: WADE CHURCH, The Attorney General

QUESTION: May county recorders register
electors for the general election
after the closing date for the
registration for the primary
election in 1960?

CONCLUSION: Yes.

A.R.S. §16-107, as amended in 1958, reads as follows:

"§16-107. Closing of registrations

A. No elector shall be registered to vote
in a primary election between five o'clock
p.m. of the day which is four months pre-
ceding the date of the next general election
and six o'clock p.m. of the day of the primary
election.

B. No elector shall be registered between
five o'clock p.m. of the seventh Monday pre-
ceding a general election and six o'clock
p.m. of the day thereof."

All electors registered for the primary election are eligible
to vote both in the primary and the general election. Registration
for the primary election for the year 1960 closed at 5 o'clock p.m.
on July 8, 1960, which is four months preceding the date of the
general election.

It is noted that Paragraph B of the above quoted statute pro-
vides that no elector shall be registered between five o'clock p.m.
of the seventh Monday preceding the general election and six o'clock
p.m. of the date thereof. Accordingly, county recorders may con-
tinue to register electors for the general election to and includ-
ing five o'clock p.m., September 26, 1960, which is the seventh
Monday preceding the general election in 1960.

The registration statutes contain no provisions authorizing
the closing of registrations to electors desiring to vote in the
general election at the time the registration is closed for the
primary election, which for the year 1960 was 5 o'clock p.m. July
8, 1960.

The above quoted statute merely means that electors who have

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registered after 5 o'clock p.m. on July 8, 1960 are only qualified to vote in the general election, as those who register subsequent to that date are not qualified to vote in the primary under the provisions of Paragraph A of the above quoted statute.

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